

Fils 17.

Hays Co / 74

73

# Travis Preemption

Abst - 136

Elvira  
Lemuel Crappes

160 ac

See old file and other  
Papers within

Correct and map of Hays County.  
Febr. 24/74 E.W. Pfister.  
Signed: ptd. M.R. P.M. 1874

Correct for patenting  
Feby 25/74 Fisher,

Patented to Lemuel Crappes

Feb. 25<sup>th</sup> 1874

~~John D. Kendall~~

(No 507 Vol 1)

The above patent having been  
erroneously, it is this day can-  
celled. Mar 6/74 Fisher,

Mgl 43)

over

Over

1. Affidavit & Descripation
2. Fieldnotes
3. Patent
4. Office letter with Surveyor cert

5. Deed of Count
  6. Cert of Occupancy
  7. " Surveyor
  8. Petition for Patent
- 4-5-6-7-8 all together

Feb 13/74

## objection

Patent to Elvira Crappes  
in conformity with decree of  
the District Court of Hays Co.

Mar 6/74. Fisher,

Patented to Elvira Crappes  
March 6<sup>th</sup> 1874

~~John D. Kendall~~

~~No 507 Vol 1~~

No 521 Vol 1

(cont.)

Mrs. Glory of Colwell

Hays Co.  
K.

File 17.

Travis Preemption

Lemuel Crappes

160 ac.

see Deed with Spd 17/43

Act Aug. 12<sup>o</sup> 1870

Scanned const. with a fold. sawn  
in the name of R. G. Costa  
3-5-58. Jane 8/71. Echutzy

See endorsement on the  
field notes  
Dec 6<sup>o</sup> 9/73. Echutzy

Protest  
Spd 17/43  
J. H.

Office letter with  
carrying case off now  
fleas attached Dec. 8/73.

L. J. Story -  
Caldwell -

Yor & Brown

Att'd Mr. S. Morris  
Court to Suanyon Three  
4-13 Dec 4/75 back

431.

C. C. May 20<sup>th</sup> 1871. T. Fuchimoku.

① M<sup>l</sup> 14

Grand Champaigne

Samuel Croppin,

buttery etc.

No. 6.

Third Quarter 20<sup>th</sup>

Samuel Croppin

Held at Chambon Valley  
the 10<sup>th</sup> of March  
1870

B.C. MacLean  
Surveyor H.C.

No 6

The State of Brazil  
County of Hays } I. certify that  
the above is duly  
Received in Book C page 222 of  
PreEmptions filed of the Surveyors  
Office of Sedg County witness my hand  
this March 10<sup>th</sup> 1871

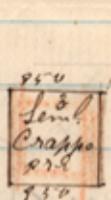
B.C. MacLean  
Surveyor H.S. County

Reservation 10-8 N  
 Survey 103  
 County of Hays  
 160 acres  
 in the name  
 of Lemuel Crapps  
 Filed notes of Preemption  
 103 made for Lemuel Crapps  
 by virtue of his title  
 Reservation 10-8 filed in  
 the Surveyor's office of said  
 County December the 16th 1870  
 made in accordance with the <sup>first</sup> 2<sup>nd</sup> section  
 of an act of the Legislature to regulate the  
 disposal of the public land of the State  
 of Texas approved August 12th 1870

This Survey contains 160 acres is

situated in <sup>Hays</sup> County on the southern  
waters of Onion Creek and about  $\frac{1}{4}$  mile  
S. W.  $38^{\circ}$  direction from San Marcos

Beginning at a stone mound, 500 rods  
S 54 E from the North West corner of Survey 1031  
pts to S H Reid. from which a Black Oak  
bearing N 60 W 24 rods adjoins S 12 W 27 as  
marked. Thence S 95 E as a stone mound  
for corner from which a live oak 20 inches in diameter  
is S 11 W 02 as marked. Thence west 950 rods  
a stone mound. A live oak 13 inches in diameter  
is marked and 45.2 rods S. live oak 7 inches  
in diameter lies S 81 E 24 rods marked. Thence  
N 95 E rods a stone mound for the S. W. corner  
of this Survey. A live oak 18 inches in diameter  
bears N 70 W 54.2 rods adjoins 5 inches in diameter lies N 57 W  
11.2 rods marked. Thence East 950 rods  
to the beginning



950  
 S. H.  
 Reid  
 131  
 103

M.M. Justice { Chancery of B.C. Hardin  
James M Cox { men } Surveyor

The State of Texas is  
County of Hays } J. D. C. Hardin Surveyor  
of said County certify  
that the above described Survey was made by  
me according to law, Meldmots correctly  
set forth in the above, duly Recorded in  
Book C page 25 of Record in the  
Surveyors Office of said County, and  
that the said Lemuel Crapps is lawfully  
settled on the land above set forth and that  
he hath not another homestead, the above  
facts of the above settlement having been  
proved to me by the aforesaid affiant  
and true of my own knowledge  
In testimony whereof I hereto sign  
my name officially done at the  
Surveyors Office in the Town of San Marcos  
1871, J. D. C. Hardin.

Surveyor of Hays County

(2)

File 17.  
Traves' Prescription  
Field notes 160 acres.  
Samuel Cropp's.  
Filed April 30, 1871

Patented to Samuel Cropp  
Feb. 25<sup>th</sup> 1874

H. F. Kendall

Patented Cancelled and  
re-issued to Elvina Cropp,  
March 6<sup>th</sup> 1874

H. F. Kendall

No. 3. Preempt  
160 acres

Samuel Cropp's  
Field notes 160 acres

C. C. May 20<sup>th</sup> 1871. T. Fincham.

To Jacob Knobell Esq.

Commissioner of the General  
Land Office.

Austin Tex.

1<sup>st</sup>

The application of Elvira Cropp. States  
that her late husband, Samuel Cropp,  
less than three years ago - in the year  
1870. procured a certain tract of  
land to be surveyed in Gray County  
Texas. with a view to acquiring title  
to the same - under the preemption laws  
of Texas. That said survey embracing  
160 acres is known in said Gray  
County as Survey No "four" "(4)"  
That the field notes of said survey  
were filed in the General Land Office  
at Austin, as surveyed in the name  
of the said Samuel Cropp. That  
applicant was at that time the wife  
of the said Cropp. and lived with him  
upon said land as such.

2<sup>nd</sup>

That soon after the making of said  
Survey - and the return of the Survey  
- or thereon to the Genl. Land Office, the  
said Cropp voluntarily abandoned  
Applicant his said wife - and wholly  
abandoned the said land, leaving  
Applicant residing on the same as  
her home. upon which applicant  
has continuously resided from the  
date of said Survey to this time.  
and upon which she now resides.

That the said Cropp, since the date  
of his said abandonment. hath

never lived upon nor in any manner  
controlled said land, nor any part of it.

3<sup>o</sup> That after the said abandonment, the Dis-  
trict Court of Said Hayes County,  
pronounced a in favor of applicant  
a decree divorcing Applicant from  
the bonds of matrimony then and  
before existing between applicant and  
her said husband the said Lemuel  
Graves, and further decreeing whatever  
interest the said Graves had acquired  
in the said land by virtue of the  
said Survey and Laws, to be from  
thence forth vested in applicant  
his said wife, to the exclusion of  
the said Graves.

4<sup>o</sup> That applicant neither owns now nor  
has since the a period antedating  
the date of said Survey - owned  
any other land or homestead. That  
she hath continuously lived upon  
and improved said land from  
the date of said Survey to the pres-  
ent, and that she is desirous of  
securing a patent to the same in  
her own name, so soon as the  
period of time prescribed by law  
shall have elapsed, within which  
she must have occupied and  
improved said land. That the  
requisite period of time since  
the date of said Survey having  
now nearly elapsed, she fears

to the said Lemuel Crops will apply  
to the authorities at the General  
Land Office for a patent to said  
land to be issued to him in his  
own name.

Applicant therefore, protests to the  
Commissioner against the grant of  
any such application that may be  
made by the said Lemuel Crops for  
a Patent to said land.

And Applicant hereby further  
gives notice to the Commissioner,  
that when the period of three years  
from the date of said Survey shall  
have elapsed, that she herself will  
apply to the Commissioner for a  
Patent to issue to the said land  
in her own name - according  
to the manner and forms pre-  
scribed by law.

Elvira Crops.

by her Atty.

Geo Brown.

③

17.

Travis Group.

Protect

Fed Spg 17/3

File 17

Travis Prescription  
Protect and Notice  
of

Application by  
Elvira Craps.  
regarding future  
Patent to sur-  
vey No. (Four 4)  
in Hayes County.

Filed Sept. 17/73  
Jacob Schreiber  
Clerk

The State of Texas  
County of Hays.

Before me the undersigned Notary  
Clark in and for the County aforesaid,  
this day came and personally  
appeared Elvina L. Brooks, a resi-  
dent citizen of said County, who  
being by me duly sworn deposes  
upon oath.

That on and before the  
16<sup>th</sup> of November 1870, affiant was the  
wife of one Samuel Brooks.

That on and before the said 16<sup>th</sup>  
November 1870, affiant and the said  
Samuel had no homestead.

That under "An Act to regulate the  
disposal of the Public Lands of the  
State of Texas," approved August  
12<sup>th</sup> 1870 - this affiant and the said  
Samuel being already settled thereon -  
the said Samuel did select one  
hundred and sixty (160) acres of  
of the said Public Land, situated  
in the said County of Hays.  
as a their homestead - under the Act  
aforesaid.

That on the said 16<sup>th</sup> November

1870- the said Lemuel filed his application in the office of the County Surveyor of said County, under the provisions of the said "Act" to have the said 160 acres surveyed in the name of the said Lemuel, and that pursuant to said application the aforesaid 160 acres was surveyed by B. C. Hardin County Surveyor of said County, on the 19<sup>th</sup> day of March 1871, in the name of Lemuel Braga, and designated as "Survey Number 3" (three)

Affiant further states that in the month of August 1871, the said Lemuel did with force and arms expel the said affiant from the said Homestead. And that affiant was forced by the threats and menaces of the said Lemuel to remain absent from the said Homestead for a period of about three (3) months, to wit: until the 20<sup>th</sup> day of November 1871; at which date last above named Affiant returned to the said Homestead.

That on or about the 19<sup>th</sup> of November 1871, the said Lemuel aban-

the said homestead, and that he at the same time abandoned this Affiant; and that from and since the said 19<sup>th</sup> November 1871, the said Lemuel has never, to this present time, in any manner lived upon, nor in any manner occupied the said homestead, neither any part thereof.

That on the 20<sup>th</sup> day of March 1872 Affiant filed her petition in the District Court of said County praying to be divorced from the said Lemuel on the grounds of cruel treatment received by affiant at the hands of the said Lemuel. Also, describing in said Petition the aforesaid "Survey No 3" (here), by the full ratio thereof, as will more fully appear from the certificate hereunto attached, marked "Exhibit A." and further praying the said Court for a decree investing affiant with all the interest of the said Lemuel in the said land, which also will more fully appear from the said certificate marked "Exhibit B."

1

That afterwards affiant - the said  
petitioner in the said suit for divorce,  
was, by judgment of the said court  
rendered at the November Term thereof  
in the said year 1872, divorced from  
the said Samuel Brooks, a certified  
copy of which Judgment is hereto  
attached and marked, "Exhibit B;" and,  
that by the said judgment, the Court  
also decreed to this affiant the in-  
trust of the said Samuel in the  
aforesaid land, Surveyed as aforesaid.

Affiant further states that  
with the exception of her brief com-  
pulsory absence as aforesaid during  
the period of three (3) months  
aforesaid affiant has continuously  
occupied and improved said land  
designated as "Survey no. 3," for the  
period of three (3) consecutive  
years, to wit, from the said  
16 day of November 1870, to the pres-  
ent time, and longer, as her  
homestead, and that she has con-  
tinuously occupied and improved the  
same in good faith. — That  
she has not a homestead other than  
the above and foregoing described.

That affiant is the head of a family, that the fee of office in the matter herof, so far as affiant knows, is informed, and believes have been paid; And that she makes this affidavit for the purpose of obtaining a title to the 160 acres aforesaid - under the "Act" aforesaid, for a homestead, in her own name. Affiant further states, that during her brief compulsory absence aforesaid from the said homestead, she acquires no other homestead; and that during her said absence, the said Homestead was continuously occupied and improved by her husband the said Lemuel, and the children of affiant & said Lemuel.

Also before me, the Clerk aforesaid, at the same time, came, and personally appeared, A. J. Moseley  
and H. L. Turner,

two credible resident citizens of said County, to me well known, who, being duly sworn, before and say Elvina Crofts, the person first above named in this affidavit, has actually settled upon and cultivated

as a homestead, the land surveyed  
for the said Samuel Crapps on  
the 10<sup>th</sup> day of March 1871, by the  
Surveyor aforesaid, for the period of  
time years; with the exception of the  
brief compulsory absence aforesaid,  
and that during the said absence of  
the said Elvinia - the said land  
was continuously occupied, cultiva-  
ted, and improved by the said Sam-  
uel Crapps, husband of the said Elvinia,  
and their children and, further more, that they, nor either  
of them, have any interest in said  
land. ?

Elvinia Crapps  
et Testimony  
D. L. Green

Swear to, and subscribe to, for me, and I do hereby  
certify, that A. J. Massey and  
D. L. Green, are both and each of them  
credible and trustworthy citizens of said County.

In testimony whereof I have hereunto set  
my hand, affixed the Seal of said County, this  
the 9<sup>th</sup> day of February, 1874.

Ed. J. L. Green  
District Clerk.

Hays County Texas.

Exhibit A.

The State of Texas  
County of Hays.

I, Ed. J. S. Green, Clerk of the  
District Court in and for the  
County aforesaid and State aforesaid,  
do hereby certify that, of the original  
petition filed in my office by Elvira  
— a Graps, Plff. in a suit for divorce  
nowhere mentioned on the civil dock  
et of said Court 493— against  
Samuel Graps defendant, begun and  
decided in said Court A. D. 1872—  
so far as the said petition describes  
the real estate therein mentioned—  
the words, letters, characters, and fig-  
ures following are a true copy.  
to wit:—

"Plff further avers that all the  
property, real and personal, in which  
Plff and deft. are interested, consists  
of a Preemption interest in 160  
acre tract of ordinary mountain land  
with some improvements, lying and  
being situated in Blays County state  
of Texas, 20 miles N.W. of the town  
of San Marcos, and was surveyed  
in the name of Samuel Graps,  
and beginning at a stone mount

Exhibit A.

" 500 varas N. 54° E. from the N. W. corner  
" of Survey No. 131. patented to S. H. Reid,  
" from which a Black Jack bears north  
" also N. 81<sup>1</sup>° 42' 2" var.  
" 76° W. 24 varas, thence south 950 varas  
" to a stone mound for corner,  
" from which a live oak 20 inches in  
" diameter bears N. W. 32 varas marked  
" x. Thence west 950 varas to a stone  
" mound for the S. W. corner of the  
" Survey, a live oak 18 inches in diameter  
" bears N. ~~45~~<sup>5</sup>° E. 40<sup>1</sup>/<sub>4</sub> varas to a live oak  
" 7 inches in diameter bears S. 81° E. 34<sup>3</sup>/<sub>4</sub>  
" varas marked x. Thence N. 950 var-  
" as to a stone mound for the N. W. cor-  
" ner of this Survey, a live oak 16 inches  
" in diameter bears N. 7 varas, a live  
" oak 5 inches in diameter 55 varas  
" bears N. 57<sup>1</sup>° W. 11<sup>1</sup>/<sub>2</sub> varas marked x.  
" Thence E. 950 varas to the beginning.  
" This is all the Real estate that Peti-  
" tioner and Defendant claimed or held  
" any interest in."

— And that the words follow-  
- ing are a true copy of so much of  
the prayer contained in said petition  
as relates to the real estate described  
therin, to wit: "Plff prays further,  
" that the defendant be cited as the

Exhibit A.

" Law direct to answer this petition at  
" the next term of Your Honor's Court:  
" and upon final investigation and  
" trial she prayz that judgment be  
" rendered divorcung plft from the  
" bonds of matrimony with defendant,  
" and that plft be given custody  
" and full control of the aforesaid  
" children during their minority; and  
" that the property described in this  
" petition, both real and personal, and  
" such other interest in any community-  
" property as may be found, and  
" that is not legally disposed of by  
" the defendant - that all of defendant's  
" interest be decreed by your honor  
" to plaintiff. to enable plaintiff  
" to support and educate her chil-  
" dren."

In witness of the truth and  
correctness whereof, I do  
hereunto set my hand and  
Official Seal. at San Marcos,  
this 29<sup>th</sup> day of November 1873.

Ed. J. L. Green  
Clerk. W. C. H. Co. Texas.





493

Eliza Crapps <sup>3</sup> vs. Divorce

vs.

3 November 12<sup>th</sup> 1873.Lemuel Crapps <sup>3</sup>

Exhibit B.

Now on this day this cause being called, came the plaintiff by attorney and the defendant failing to appear and answer this suit, whereupon the plaintiff announced ready for trial, whereupon came a jury of good and lawful men of Hays County, to wit; C. S. Cook and eleven others, who being duly elected, empannelled and sworn to well and truly try the issue joined between the parties, who after hearing the pleadings read, evidence of Plaintiff and charge of the Court, retired to consider of their verdict, and coming again into open Court returned the following verdict to wit: "1<sup>st</sup> We the jury find the facts set forth in plaintiff's petition to be true." 2<sup>a</sup> We the jury find the property described in Plaintiff's Petition to be community property C. S. Cook foreman."

It is therefore, ordered, adjudged and decreed by the Court that the Bonds of Matrimony heretofore

existing between said Plaintiff and  
said Defendant, be, and are hereby  
dissolved; And that the Plaintiff  
Elvira Crapps be decreed the custody  
of all the Children of said Plff  
& Dft during their minority, and  
all the community property, both  
real and personal as prayed for  
in Plaintiff Petition, and that  
Plff, do have and recover of and  
from the defendant, all costs in  
this behalf expended, and that she  
have her execution-

Exhibit  
D

The State of Texas  
County of Hays I, Ed. J. L. Green  
Clerk of the District  
Court in and for the County and State  
aforesaid, hereby certify the foregoing  
to be a true copy of the original Decree  
rendered at the November Term 1872  
of the District Court of Hays County  
in case of Elvira Crapps v. Lemuel  
Crapps, and entered on the minutes  
of said Court on pages 282 & 283.

In Witness Whereof, I hereunto set my hand  
& official Seal, at San Marcos, this 27<sup>th</sup> day  
of November 1873. Ed. J. L. Green,  
Clerk. D. C. H. Co. Texas.



No 493.  
Elvin Cropp.

V.  
Leviel Cropp.

Copy of Decree

Application of  
Elvin Cropp  
for  
Patent.  
No

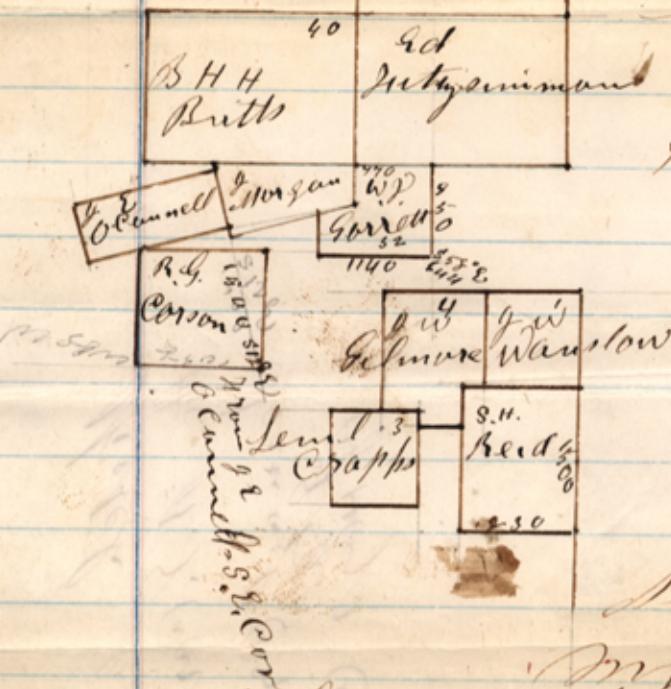
"Survey no 3" in  
Hays County Texas.  
under

Premise Law of  
1870.

Filed July 13/74  
Rosa Fisher.  
Chfctv.

Fee \$1.25

Story of Coldwell



State of Texas  
County of  
Hays.

I here with  
certify that  
the above sketch  
is correct as  
found per actual  
Survey, made per  
myself, to wit, running  
the line of the W. J. Garrett, no 32  
The J. W. Belmont, no 11  
J. H. Reid and Lemuel L. Capps  
and per actual survey the  
bearing and dist from the  
S.E. Corner of the W. J. Garrett  
to the N.W. corner of the J. W.  
Wauclaw is  $8^{\circ}58' E$  644.11. in dist  
Witness my official signa-  
ture this the 18th day of December  
A.D. 1873 B C Hardin  
Surveyor of Hays  
County Texas

4 File 17

Sketch of

the P. S. Carson  
Lemuel Crapps  
of Hays Co



Travis Preemption

Decree of Court  
Cert of Occupancy  
" " Surveyor  
and  
Petition for Patent

Mr E. Crapps  
Filed Feb 13 1874



GENERAL LAND OFFICE,

Austin, Texas,

Dec. 3d. 1848.

Wm Goo and Brown,  
San Marcos Texas

Sirs, Young 27th

ult. to hand, the Survey of Lemuel  
Crapp. 160 acres. Maps b. Seems to  
conflict with Survey of R. J. Carson. ptd  
(3.538). Said Conflict must be recovered  
before Pat will issue, the fee will  
be \$5.00.

Yours very respectfully  
L. C. H. Klein  
Asst. Comr.

I hereby certify that the above  
Lemuel Crapp 160 acre. does not  
conflict with the said R. J. Carson  
Survey (pt 3.538) witness my official  
signature} B.C. Hardin  
Surveyor of Hays  
Co.

17.

Trans Recd  
Office Letter  
with  
Carrying Corp  
of

noncoastal

Filed Dec. 8<sup>th</sup> 1870

77  
mugj 332  
1818 mg mif  
2000 cestrum

Letter from  
L. C. E. Tolman  
Land Office  
Dec. 8<sup>th</sup> 1872.



No

The State of Texas

County of Hays

Before the undersigned authority  
Personally appeared Lemuel Crapps  
Applicant and James M. Cox  
Wiley L. Massey and.

Witnesses to me well known, who being  
duly sworn, according to law declare  
that Lemuel Crapps is lawfully settled  
upon vacant Public domain, the  
same described in the accompanying file,  
under an act to regulate the disposal  
of the Public lands of the State of  
Texas Approved August 12<sup>th</sup> 1870; and  
that he has not a Homestead

Lemuel Crapps

J M Cox

W S Massey

Sworn to and subscribed before me this  
16<sup>th</sup> day of November 1870

In testimony whereof I have here-  
unto affixed my official seal and  
signature

C W J L Green  
Clerk D.C. Hays Co

106 Designation

To B.C. Hardin

Surveyor of Hays County.

By virtue of the accompanying affidavits  
so made in accordance with the 1<sup>st</sup> first  
Section of An act to regulate the Division  
of the Public Lands in the State of Texas  
approved August 12<sup>th</sup> 1870.

I hereby apply for a Survey of the  
following premises including my improvements  
<sup>situated 19 1/2 miles Nth. 35 1/2 W. from the Station of Lampasas</sup>  
viz Beginning at a point 500 acres S 47 1/2 W  
from the North West corner of Survey No. 131  
ptd to S H Reid (that is to say connecting to  
Reid by commencing 291 acres South of Reids NW.  
corner. Hence West 388 acres.) at which point  
begin a survey of 100 acres for this applicant  
Hence South 950 acres. Hence West 950 acres  
Hence North 950 acres. Hence East 950 acres  
to the beginning horizon to be 10 East =  
November 12<sup>th</sup> 1870

3

Lonwell Crappitt